

REMARKS/ARGUMENTS

Favorable consideration of this application in light of the following discussion is respectfully requested.

Claims 11-16 are pending in the present application; no claims having been amended, canceled, or added by way of the present amendment.

In the outstanding Office Action, Claims 11-16 were rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103 as obvious over Hwang with further evidence provided by Ries, Claims 11-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hwang in view of Mushovic, and Claims 11-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hwang in view of Ries.

Claims 11-16 stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Hwang with further evidence provided by Ries. Additionally, Claims 11-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hwang in view of Reis. These rejections are respectfully traversed.

The present invention, as recited in Claim 11 for example, is a prefabricated tubular body. This body comprises:

integral centralizer formations, said formations being formed as projections molded directly onto the tubular body from moldable materials comprising a curable resin, ceramic particulate filler materials, and chopped carbon fiber.

Applicants acknowledge that the primary patent used to reject the claims, Hwang, discloses a damper which can be constructed using antistatic agents. However, Hwang does not disclose or suggest the type of antistatic agents which can be used. Further, the claimed “chopped carbon fiber” is certainly not disclosed or suggested by Hwang. Therefore, the anticipation rejection under 35 U.S.C. § 102(b) using Hwang must be withdrawn.

The outstanding Office Action also asserts that Claim 11 would have been obvious based on Hwang in view of Ries et al. Hwang only teaches the use of “antistatic agents” in

the material, with no mention of which specific antistatic agent should be used. The term “antistatic” may generally mean that it reduces or eliminates the formation of static electricity (generated by unbalance of electrical charges). Thus, this antistatic feature is not directly related to the present invention, and there is no specific claim element directed to a general antistatic feature.

The outstanding Office Action takes the position that because the general feature of antistatic agents is disclosed in Hwang, that any antistatic agent could be substituted into Hwang, without analysis or explanation as to which specific antistatic agent is more advantageous or performs better in the system of Hwang et al.

Using chopped carbon fiber in the presently claimed invention which includes integral centralizer formations and is a centralizer and not a damper due to different properties and requirements such as resistance instead of antistatic properties cannot be considered as obvious in view of the prior art used to rejected the claims.

The outstanding Office Action does not take into account that there are many antistatic materials other than the three materials cited in Ries et al. Just as easily as the carbon fibers, why not select the graphic fibrils or the conductivity black, or the stainless steel fibers? There is no reason to choose one of the antistatic materials specified by Ries, further to the fact of being antistatic. In other words, there is no disclosure or suggestion of materials disclosed in Ries et al with the field of Hwang.

Additionally, according to the present invention, a tubular body with enhanced properties is obtained in the case in which hardening resin is added to the materials of ceramic particulates and also the carbon fibers, whereas substitution of carbon fibers into Hwang does not achieve the same results as the invention.

For at least these reasons, the rejection under 35 U.S.C. § 103(a) of the claims as being obvious over Hwang in view of Ries is respectfully requested to be withdrawn.

Claims 11-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hwang in view of Mushovic. This rejection is respectfully traversed.

The rejection of Hwang in view of Mushovic is the same rejection as was previously issued in an earlier Office Action. This rejection was thoroughly traversed. Instead of the outstanding Office Action identifying any deficiencies in the previously remarks against the combination of Hwang and Mushovic, the top of page 5 of the outstanding Office Action simply states “Applicant’s arguments with respect to Claims 11-16 have been considered but are moot in view of the new ground(s) of rejection.” This assertion in the outstanding Office Action does not take into account the repeated rejection of Hwang in view of Mushovic. Since the outstanding Office Action has not pointed out any deficiencies in this argument, the arguments are repeated below.

The outstanding Office Action relies on Mushovic for the feature that it is old and well known to provide cured resins with various fillers, where ceramic fibers, carbon fibers, and carbon black are all equivalent materials used as fillers to improve the structural strength of the plastic. Additionally, the first sentence of the rejection under 35 U.S.C. § 103 with respect to Hwang in view of Mushovic states “as set forth above, Hwang is considered to teach the combination of carbon black with ceramic fillers in centralizers.” However, this is a clearly erroneous statement. Hwang does not teach the combination of carbon black with ceramic fillers. As explained above, Hwang teaches the use of antistatic agents. Nowhere within Hwang is there disclosed or suggested the use of carbon black, as claimed. If the outstanding Office Action continues to allege that Hwang teaches the use of carbon black, a specific page and line number of such a teaching is respectfully requested.

As this premise on which the outstanding Office Action is based is clearly erroneous, the rejection under 35 U.S.C. § 103(a) utilizing Hwang in view of Mushovic must be withdrawn.

Moreover, Mushovic is directed to materials having rigid or semi-rigid characteristics (see col. 1, line 17) whereas Hwang is directed to a damper with damping characteristics and also with antistatic characteristics. Moreover, the rigid or semi-rigid reinforced materials do not necessarily improve the material resistance, but they do increase its rigidity.

From the examples themselves, it is clear that the objective is to obtain enhancement of rigidity. See Mushovic at Example 4, column 4, lines 46-48. See also the regulation of the thermal expansion and col. 23, lines 26-33.

Mushovic does not teach that carbon black, carbon fiber, ceramic fibers may be equivalent when used as “dispersed filler particles” but always in reference to the increase in rigidity of the desired material.

Additionally, the teachings of Mushovic disclose that many other materials (such as the list at col. 8, lines 22-34) do not provide for a specific teaching among which these materials may be conveniently used. In other words, going along the assumption of the outstanding Office Action, whatever material among those listed on col. 8, from lines 22-34 should be suitable, whereas only the components mentioned in the main claim on file and in particular, thanks to the use of carbon fiber, is it possible to achieve a centralizer with characteristics of resistance to wear, abrasion, thermal stress and maximum adhesion.

It is emphasized that the teachings refer to improvements in rigidity and the regulation of the thermal expansion, but not features of the resistance desired by the Applicants. Finally, in Mushovic, there is specifically mentioned the use of either carbon black or carbon fibers, which implicitly affirms that they are clearly different materials, as was previously argued.

Accordingly, the rejection under 35 U.S.C. § 103 of Hwang in view of Mushovic is respectfully requested to be withdrawn.

Consequently, in light of the above discussion and in view of the present amendment, the present application is in condition for formal allowance and an early and favorable action to that effect is requested.

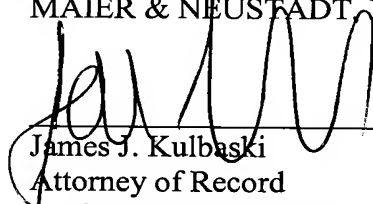
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